

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NOS. 4, 42 & 89**  
**102ND GENERAL ASSEMBLY**

1064H.16C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal sections 160.516, 160.522, 162.471, 162.492, 162.611, 163.011, and 163.161, RSMo, and to enact in lieu thereof thirteen new sections relating to elementary and secondary education, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 160.516, 160.522, 162.471, 162.492, 162.611, 163.011, and  
2 163.161, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known  
3 as sections 160.516, 160.522, 160.771, 161.841, 161.854, 162.471, 162.492, 162.611,  
4 163.011, 163.161, 168.781, 170.355, and 170.370, to read as follows:

160.516. 1. Notwithstanding the provisions of section 160.514, the state board of  
2 education and the department of elementary and secondary education shall not be authorized  
3 to mandate and are expressly prohibited from mandating the curriculum, textbooks, or other  
4 instructional materials to be used in public schools. Each local school board, **charter school**  
5 **governing board, and any virtual school or virtual provider authorized under the**  
6 **provisions of section 161.670** shall be [~~responsible for the approval and adoption of~~]  
7 **required to approve and adopt the** curriculum used by the school district, **charter school,**  
8 **or virtual school at least two months prior to implementation.** The provisions of this  
9 subsection shall not apply to schools and instructional programs administered by the state  
10 board of education and the department of elementary and secondary education or to school  
11 districts that are classified as unaccredited.

12 2. The state board of education and the department of elementary and secondary  
13 education shall not require districts to use any appendix to the common core state standards.

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14           **3. The school board for each school district, each charter school governing**  
15 **board, and the governing body of each virtual school or virtual provider authorized**  
16 **under section 161.670 shall adopt policies and procedures to ensure the approved and**  
17 **adopted curricula presented under subsection 1 of this section are properly**  
18 **implemented. The choice of academic class offerings and curriculum materials shall**  
19 **ensure schools meet the purpose of education as provided in the Constitution of**  
20 **Missouri and the Constitution of the United States.**

          160.522. 1. (1) The department of elementary and secondary education shall  
2 produce or cause to be produced, at least annually, a school accountability report card for each  
3 public school district, each public school building in a school district, ~~and~~ each charter  
4 school ~~in the state~~, **and each virtual school authorized under section 161.670.** The report  
5 card shall be designed to satisfy state and federal requirements for the disclosure of statistics  
6 about students, staff, finances, academic achievement, and other indicators. The purpose of  
7 the report card shall be to provide educational statistics and accountability information for  
8 parents, taxpayers, school personnel, legislators, and the print and broadcast news media in a  
9 standardized, easily accessible form.

10           **(2) The following shall apply to a report card produced under subdivision (1) of**  
11 **this subsection:**

12           **(a) The report card shall be maintained on the department's website and**  
13 **reachable by a clearly labeled link on the website homepage;**

14           **(b) Each school district, charter school, and virtual school shall also maintain the**  
15 **report card information for the district, charter school, or virtual school and all school**  
16 **attendance centers on the district, charter school, or virtual school website and such**  
17 **information shall be reachable by a clearly labeled link on the department's webpage;**

18           **(c) The report card webpage shall be formatted to easily allow linking to each**  
19 **school attendance center in each school district or charter school;**

20           **(d) The report card shall present a comprehensive summary of the district or**  
21 **school information formatted onto a single webpage to the maximum extent practicable;**

22           **(e) The report card shall use a clear and logical menu structure;**

23           **(f) Each school district, charter school, and virtual school shall make available to**  
24 **the public, as part of the report card, information for all curricula such as the title of**  
25 **each textbook, course outlines, and reading lists at least thirty days before the beginning**  
26 **of a semester in which the material will be taught;**

27           **(g) Each school district, charter school, and virtual school shall make available**  
28 **to the public, as part of the report card, school building level and district academic**  
29 **performance information including, but not limited to:**

30           a. The percentage of all students scoring at the proficient level or higher on all  
31 assessments administered under the Missouri assessment program or any subsequent  
32 equivalent assessment adopted;

33           b. The percentage of students in each reportable subgroup including, but not  
34 limited to, race, ethnicity, economically disadvantaged, students with disabilities, and  
35 English language learners scoring at the proficient level or higher on all assessments  
36 administered under the Missouri assessment program or any subsequent equivalent  
37 assessment adopted; and

38           c. For grades three to eight, the growth score in English language arts and in  
39 math measured against the national normal curve equivalent or any subsequent  
40 equivalent measurement adopted;

41           (h) Each school district, charter school, and virtual school shall make available  
42 to the public, as part of the report card, all financial data available in a searchable and  
43 easily understood format including, but not limited to:

44           a. Financial reports and audits including, but not limited to, any reports  
45 submitted to the state;

46           b. Payment data showing expenditures made by the school or school district; and

47           c. Information about the tax rates and revenues associated with the school or  
48 school district;

49           (i) Additional detailed information about a district, charter school, attendance  
50 center, or virtual school shall be available from the report card webpage; and

51           (j) School districts, charter schools, and virtual schools shall also provide the  
52 information in a printed document to the parent or legal guardian of an enrolled student  
53 upon request.

54           2. (1) The department of elementary and secondary education shall develop a  
55 standard form for the school accountability report card. The information reported shall  
56 include, but not be limited to, the ~~[districts]~~ following information reported by each school  
57 district, charter school, or virtual school:

58           (a) The most recent accreditation rating, which shall contain at least the following:

59           a. The overall performance rating displayed in the most prominent position at  
60 the top of the dashboard; and

61           b. The performance rating for each specific category considered in the  
62 calculation of the overall performance rating including, but not limited to:

63           (i) Student growth;

64           (ii) Student achievement; and

65           (iii) College and career readiness; and

66 **c. Additional information provided on the accountability report with a detailed**  
67 **description of the performance of the district or school;**

68 (b) Enrollment[~~;~~];

69 (c) Rates of pupil attendance[~~;~~];

70 (d) High school dropout rate and graduation rate[~~;~~];

71 (e) The number and rate of suspensions of ten days or longer and expulsions of pupils  
72 [~~;~~];

73 (f) The [~~district~~] ratio of students to administrators and students to classroom **or**  
74 **virtual** teachers[~~;~~];

75 (g) The average years of experience of professional staff and advanced degrees  
76 earned[~~;~~];

77 (h) Student achievement **and growth** as measured through the assessment system  
78 developed pursuant to section 160.518[~~;~~];

79 (i) Student scores on the ACT, along with the percentage of graduates taking the test  
80 [~~;~~];

81 (j) Average teachers' and administrators' salaries compared to the state averages[~~;~~];

82 (k) Average per-pupil current expenditures for the district, **charter school, or virtual**  
83 **school** as a whole and by attendance center as reported to the department of elementary and  
84 secondary education[~~;~~];

85 (l) The adjusted tax rate of the district[~~;~~];

86 (m) **The** assessed valuation of the district[~~;~~~~percent~~];

87 (n) **The percentage** of the district, **charter school, or virtual school** operating  
88 budget received from state, federal, and local sources[~~;~~~~the percent of~~];

89 (o) **The percentage of** students eligible for free or reduced-price lunch[~~;~~];

90 (p) Data on the [~~percent~~] **percentage** of students continuing their education in  
91 postsecondary programs[~~;~~];

92 (q) information about the job placement rate for students who complete district,  
93 **charter school, or virtual school** vocational education programs[~~;~~];

94 (r) Whether the school district currently has a state-approved gifted education  
95 program[~~;~~]; and

96 (s) The percentage and number of students who are currently being served in the  
97 district's, **charter school's, or virtual school's** state-approved gifted education program.

98 (2) **The report card shall include a comparison to the state average for all**  
99 **numerical fields amenable to an average and a comparison to the district, charter**  
100 **school, or virtual school average for school attendance center data. Prior year school**  
101 **attendance center data shall be available on the school's main webpage, and the report**  
102 **card shall include a link or links to data for each of the preceding five school years or all**

103 preceding years since the school's first year of operation if within the last five years.  
104 Data shall be shown on clear and logical graphs and also available for public download  
105 and analysis in both common spreadsheet and portable document formats. The format  
106 shall allow districts, charter schools, attendance centers, and virtual schools to provide  
107 additional information about programs and activities of the district, charter school,  
108 attendance center, or virtual school.

109 (3) The report card webpage shall include a means by which any user may  
110 provide suggestions for improvement and provide feedback regarding the ease of use  
111 and understandability of the report card and whether the report card provides essential  
112 indicators aligned to key education priorities. The department shall establish an  
113 advisory group representing public school districts and charter schools and including,  
114 but not limited to, parents, researchers, and educators to continuously review the  
115 feedback received from users, research the practices of school report cards in other  
116 jurisdictions, and make appropriate updates and revisions to the report card to improve  
117 its usefulness based on user feedback and best practices employed in school report  
118 cards.

119 3. The report card shall permit the disclosure of data on a school-by-school basis, but  
120 the reporting shall not be personally identifiable to any student or education professional in  
121 the state.

122 4. The report card shall identify each school or attendance center that has been  
123 identified as a priority school under sections 160.720 and 161.092. The report also shall  
124 identify attendance centers that have been categorized under federal law as needing  
125 improvement or requiring specific school improvement strategies.

126 5. The report card shall not limit or discourage other methods of public reporting and  
127 accountability by local school districts, **charter schools, or virtual schools**. Districts,  
128 **charter schools, and virtual schools** shall, **on the department's website or in a printed**  
129 **form upon request**, provide information included in the report card to parents, community  
130 members, the print and broadcast news media, and legislators by December first annually or  
131 as soon thereafter as the information is available to the district, **charter school, or virtual**  
132 **school**, giving preference to methods that incorporate the reporting into substantive official  
133 communications such as student report cards. The school district, **charter school, or virtual**  
134 **school** shall provide a printed copy of the district-level or ~~[school-level]~~ **attendance center**  
135 report card to any patron upon request and shall make reasonable efforts to supply businesses  
136 such as, but not limited to, real estate and employment firms with copies or other information  
137 about the reports ~~[so that parents and businesses from outside the district who may be~~  
138 ~~contemplating relocation have access]~~.

139           6. For purposes of completing and distributing the annual report card as prescribed in  
140 this section, a school district may include the data from a charter school located within such  
141 school district, provided the local board of education or special administrative board for such  
142 district and the charter school reach mutual agreement for the inclusion of the data from the  
143 charter ~~[schools]~~ **school** and the terms of such agreement are approved by the state board of  
144 education. The charter school shall not be required to be a part of the local educational agency  
145 of such school district and may maintain a separate local educational agency status.

**160.771. 1. This section shall be known and may be cited as the "Missouri  
2 Childhood Hero Act".**

3           **2. As used in this section, the following words mean:**

4           **(1) "Act of school violence" or "violent behavior", the same meaning as in  
5 section 160.261;**

6           **(2) "Bullying", the same meaning as in section 160.775;**

7           **(3) "Crime", the crimes listed in section 160.261;**

8           **(4) "Zero-tolerance disciplinary policy", a policy or practice of discipline that  
9 results in an automatic disciplinary consequence such as suspension or expulsion for any  
10 student who commits one or more listed offenses even if administrators have some  
11 discretion to modify the consequence on a case-by-case basis.**

12           **3. Each school district shall adopt a policy to address bullying and school  
13 discipline. The policy shall contain at least the following components:**

14           **(1) A statement that the school district prohibits, does not have, and will not  
15 adopt, in name or in practice, a zero-tolerance disciplinary policy that requires the  
16 detention, suspension, expulsion, or imposition of other disciplinary measures against a  
17 pupil who is a victim of bullying and against whom an act of school violence, violent  
18 behavior, or crime is committed; and**

19           **(2) A statement that the school district prohibits, does not have, and will not  
20 adopt, in name or in practice, a zero-tolerance disciplinary policy that requires the  
21 detention, suspension, expulsion, or imposition of other disciplinary measures against a  
22 pupil who intervenes on behalf of a pupil who is a victim of bullying and against whom  
23 an act of school violence, violent behavior, or crime is committed.**

**161.841. 1. This section shall be known and may be cited as the "Parents' Bill of  
2 Rights Act of 2023".**

3           **2. (1) As used in this section, the term "parent" means a parent or legal  
4 guardian of a child enrolled in a school.**

5           **(2) As used in this section, the term "school" or "schools" shall mean a public  
6 school or school district as such terms are defined in section 160.011, including a charter**

7 school as defined in section 160.400 and any virtual school or virtual provider  
8 authorized under the provisions of section 161.670.

9       **3. (1) This section shall be construed to empower parents to enforce the**  
10 **following rights to access records maintained by schools and the individual attendance**  
11 **centers of such schools in which their children are enrolled in a timely manner upon**  
12 **request as follows:**

13       **(a) The right to inspect materials provided to their minor child within two**  
14 **business days upon request including, but not limited to, curricula, books, materials,**  
15 **and other instructional materials, but excluding testing and examination materials in**  
16 **accordance with section 610.021;**

17       **(b) The right to receive upon request the name of any person who has taught**  
18 **their minor child including, but not limited to, guest lecturers and outside presenters;**

19       **(c) The right to receive information about the names of individuals and**  
20 **organizations receiving school contracts and funding in the school in which their child is**  
21 **enrolled, provided that no personally identifiable information about any student is**  
22 **released;**

23       **(d) The right to inspect personally identifiable education records, medical or**  
24 **otherwise, concerning their minor child, in accordance with state and federal law,**  
25 **provided that such disclosure does not violate privacy and confidentiality rights;**

26       **(e) The right to access information about the collection and transmission of their**  
27 **minor child's personally identifiable education records, in accordance with state and**  
28 **federal law;**

29       **(f) The right to know about records regarding situations affecting their minor**  
30 **child's safety in school, provided that such disclosure does not violate privacy and**  
31 **confidentiality rights; and**

32       **(g) The right to receive information about any school-sponsored event or activity**  
33 **provided that no personally identifiable information about any student is released.**

34       **(2) Where the curricular materials being made available to parents for review**  
35 **are proprietary, subject to copyright, trademark, or other intellectual property**  
36 **protection, the review process shall include technical and procedural safeguards to**  
37 **ensure that the materials are not able to be widely disseminated to the general public in**  
38 **violation of the intellectual property rights of the publisher or any contractual**  
39 **agreements between the publisher and the school, and that content validity is not**  
40 **undermined.**

41       **4. No school shall require nondisclosure agreements or similar forms for a**  
42 **parent's review of curricula. Each school shall allow parents, within two business days**  
43 **upon request, to review or to make a copy of nonproprietary curriculum documents or**

44 to receive such documents in an electronic format, provided that no request would  
45 violate copyright, trademark, or other intellectual property protection or cause an  
46 infringement of copyright protections provided under the federal Copyright Act of 1976  
47 (17 U.S.C. 101 et seq.), as amended. If more than twenty pages are being copied using  
48 the school's equipment, the school may, at the school's discretion, charge the parent a fee  
49 not to exceed ten cents per page for a paper copy not larger than nine by fourteen  
50 inches, with the hourly fee for duplicating time not to exceed the average hourly rate of  
51 pay for clerical staff of the school.

52 5. (1) As used in this subsection, "biometric data" means any information,  
53 regardless of how it is captured, converted, stored, or shared, that is based on an  
54 individual's biometric identifier and used to identify an individual.

55 (2) No school shall collect any biometric data of a minor child without obtaining  
56 written parental consent before collecting such data, except for biometric data necessary  
57 to create and issue appropriate school identification cards. Any school that collects any  
58 biometric data of a minor child under this subsection shall ensure that all copies of such  
59 data are destroyed within one year of such student's withdrawal of participation in all  
60 school activities.

61 6. Each school board meeting or charter school governing board meeting  
62 approving curricula shall be held in public in accordance with the Missouri sunshine  
63 law as set forth in the provisions of chapter 610 and allow for public comments.

64 7. (1) Each school district and public school shall develop policies and  
65 procedures for such school district or public school to follow to notify parents in a timely  
66 manner of incidents pertaining to their student's safety including, but not limited to, the  
67 following:

68 (a) Any act or instance reportable under subsection 1, 2, or 3 of section 167.117;

69 (b) All reported incidents directly pertaining to their student's safety that result  
70 in any violation of the school's safety policy;

71 (c) Any instance of a teacher or other school employee being detained or  
72 arrested for or charged with any felony that directly pertains to their student's safety,  
73 regardless of whether the alleged offense took place on school premises or off school  
74 premises;

75 (d) Any instance of a teacher or other school employee being detained or  
76 arrested for or charged with any misdemeanor that directly pertains to their student's  
77 safety, regardless of whether the alleged offense took place on school premises or off  
78 school premises; and

79           **(e) Any instance of a guest or visitor to the school being detained or arrested for**  
80 **or charged with felony or misdemeanor charges, provided that the alleged offense**  
81 **occurred on school premises and directly pertains to their student's safety.**

82           **(2) No personally identifiable information about any individual involved in**  
83 **reports made under subdivision (1) of this subsection shall be released.**

84           **8. No school shall provide any school records as described in this section in**  
85 **violation of any relevant state or federal law or policy protecting or limiting access to**  
86 **such school records. Nothing in this section shall be construed to violate any provision**  
87 **of chapter 610 or other provisions of law regarding records that are protected from**  
88 **disclosure.**

**161.854. 1. As used in this section, "school" shall mean a public school or school**  
2 **district as such terms are defined in section 160.011, including a charter school as**  
3 **defined in section 160.400 and any virtual school or virtual provider authorized under**  
4 **the provisions of section 161.670.**

5           **2. Any school that provides school-issued electronic devices to students shall**  
6 **implement technology solutions that prohibit students' access to inappropriate material**  
7 **on such devices including, but not limited to, child pornography, explicit sexual**  
8 **material, and material that is pornographic for minors, as those terms are defined in**  
9 **section 573.010.**

          162.471. 1. The government and control of an urban school district is vested in a  
2 board of seven directors.

3           2. Except as provided in section 162.563, each director shall be a voter of the district  
4 who has resided within this state for one year next preceding the director's election or  
5 appointment and who is at least twenty-four years of age. All directors, except as otherwise  
6 provided in sections 162.481, 162.492, and 162.563, shall hold their offices for six years and  
7 until their successors are duly elected and qualified. All vacancies occurring in the board[  
8 ~~except as provided in section 162.492,~~] shall be filled by appointment by the board as soon as  
9 practicable, and the person appointed shall hold office until the next school board election,  
10 when a successor shall be elected for the remainder of the unexpired term. The power of the  
11 board to perform any official duty during the existence of a vacancy continues unimpaired  
12 thereby.

          162.492. 1. In all urban districts containing the greater part of the population of a city  
2 which has more than three hundred thousand inhabitants, the election authority of the city in  
3 which the greater portion of the school district lies, and of the county if the district includes  
4 territory not within the city limits, shall serve ex officio as a redistricting commission. The  
5 commission shall on or before November 1, 2018, divide the school district into five  
6 subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in

7 the number of inhabitants as practicable and thereafter the board shall redistrict the district  
8 into subdivisions as soon as practicable after each United States decennial census. In  
9 establishing the subdistricts each member shall have one vote and a majority vote of the total  
10 membership of the commission is required to make effective any action of the commission.

11 2. School elections for the election of directors shall be held on municipal election  
12 days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until  
13 2019 and until their successors are elected and qualified. At the election in 2016, directors  
14 shall be elected until 2019 and until their successors are elected and qualified. Beginning in  
15 2019, school elections for the election of directors shall be held on the local election date as  
16 specified in the charter of a home rule city with more than four hundred thousand inhabitants  
17 and located in more than one county. Beginning at the election for school directors in 2019,  
18 the number of directors on the board shall be reduced from nine to seven. Two directors shall  
19 be at-large directors and five directors shall represent the subdistricts, with one director from  
20 each of the subdistricts. At the 2019 election, one of the at-large directors and the directors  
21 from subdistricts one, three, and five shall be elected for a two-year term, and the other at-  
22 large director and the directors from subdistricts two and four shall be elected for a four-year  
23 term. Thereafter, all seven directors shall serve a four-year term. Directors shall serve until  
24 the next election and until their successors, then elected, are duly qualified as provided in this  
25 section. In addition to other qualifications prescribed by law, each member elected from a  
26 subdistrict shall be a resident of the subdistrict from which he or she is elected. The  
27 subdistricts shall be numbered from one to five.

28 3. The five candidates, one from each of the subdistricts, who receive a plurality of  
29 the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality  
30 of the at-large votes shall be elected. The name of no candidate for nomination shall be  
31 printed on the ballot unless the candidate has at least sixty days prior to the election filed a  
32 declaration of candidacy with the secretary of the board of directors containing the signatures  
33 of at least two hundred fifty registered voters who are residents of the subdistrict within which  
34 the candidate for nomination to a subdistrict office resides, and in case of at-large candidates  
35 the signatures of at least five hundred registered voters. The election authority shall  
36 determine the validity of all signatures on declarations of candidacy.

37 4. In any election either for at-large candidates or candidates elected by the voters of  
38 subdistricts, if there are more than two candidates, a majority of the votes are not required to  
39 elect but the candidate having a plurality of the votes shall be elected.

40 5. The names of all candidates shall appear upon the ballot without party designation  
41 and in the order of the priority of the times of filing their petitions of nomination. No  
42 candidate may file both at large and from a subdistrict and the names of all candidates shall  
43 appear only once on the ballot, nor may any candidate file more than one declaration of

44 candidacy. All declarations shall designate the candidate's residence and whether the  
45 candidate is filing at large or from a subdistrict and the numerical designation of the  
46 subdistrict or at-large area.

47 6. The provisions of all sections relating to seven-director school districts shall also  
48 apply to and govern urban districts in cities of more than three hundred thousand inhabitants,  
49 to the extent applicable and not in conflict with the provisions of those sections specifically  
50 relating to such urban districts.

51 7. Vacancies which occur on the school board ~~[between the dates of election shall be~~  
52 ~~filled by special election if such vacancy happens more than six months prior to the time of~~  
53 ~~holding an election as provided in subsection 2 of this section. The state board of education~~  
54 ~~shall order a special election to fill such a vacancy. A letter from the commissioner of~~  
55 ~~education, delivered by certified mail to the election authority or authorities that would~~  
56 ~~normally conduct an election for school board members shall be the authority for the election~~  
57 ~~authority or authorities to proceed with election procedures. If a vacancy occurs less than six~~  
58 ~~months prior to the time of holding an election as provided in subsection 2 of this section, no~~  
59 ~~special election shall occur and the vacancy shall be filled at the next election day on which~~  
60 ~~local elections are held as specified in the charter of any home rule city with more than four~~  
61 ~~hundred thousand inhabitants and located in more than one county]~~ **shall be filled in the**  
62 **manner provided in section 162.471.**

162.611. Any member failing to attend the meetings of the board for three  
2 consecutive regular meetings, unless excused by the board for reasons satisfactory to the  
3 board, shall be deemed to have vacated his **or her** seat; and the secretary of the board shall  
4 certify that fact to the ~~[mayor]~~ **board**. The secretary shall likewise certify to the ~~[mayor]~~  
5 **board** any other vacancy occurring in the board. Any vacancy shall be filled by the ~~[mayor]~~  
6 **board** by appointment for the remainder of the term.

163.011. As used in this chapter unless the context requires otherwise:

2 (1) "Adjusted operating levy", the sum of tax rates for the current year for teachers'  
3 and incidental funds for a school district as reported to the proper officer of each county  
4 pursuant to section 164.011;

5 (2) "Average daily attendance", the quotient or the sum of the quotients obtained by  
6 dividing the total number of hours attended in a term by resident pupils between the ages of  
7 five and twenty-one by the actual number of hours school was in session in that term. To the  
8 average daily attendance of the following school term shall be added the full-time equivalent  
9 average daily attendance of summer school students. "Full-time equivalent average daily  
10 attendance of summer school students" shall be computed by dividing the total number of  
11 hours, except for physical education hours that do not count as credit toward graduation for  
12 students in grades nine, ten, eleven, and twelve, attended by all summer school pupils by the

13 number of hours required in section 160.011 in the school term. For purposes of determining  
14 average daily attendance under this subdivision, the term "resident pupil" shall include all  
15 children between the ages of five and twenty-one who are residents of the school district and  
16 who are attending kindergarten through grade twelve in such district. If a child is attending  
17 school in a district other than the district of residence and the child's parent is teaching in the  
18 school district or is a regular employee of the school district which the child is attending, then  
19 such child shall be considered a resident pupil of the school district which the child is  
20 attending for such period of time when the district of residence is not otherwise liable for  
21 tuition. Average daily attendance for students below the age of five years for which a school  
22 district may receive state aid based on such attendance shall be computed as regular school  
23 term attendance unless otherwise provided by law;

24 (3) "Current operating expenditures":

25 (a) For the fiscal year 2007 calculation, "current operating expenditures" shall be  
26 calculated using data from fiscal year 2004 and shall be calculated as all expenditures for  
27 instruction and support services except capital outlay and debt service expenditures minus the  
28 revenue from federal categorical sources; food service; student activities; categorical  
29 payments for transportation costs pursuant to section 163.161; state reimbursements for early  
30 childhood special education; the career ladder entitlement for the district, as provided for in  
31 sections 168.500 to 168.515; the vocational education entitlement for the district, as provided  
32 for in section 167.332; and payments from other districts;

33 (b) In every fiscal year subsequent to fiscal year 2007, current operating expenditures  
34 shall be the amount in paragraph (a) of this subdivision plus any increases in state funding  
35 pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005, not to exceed five  
36 percent, per recalculation, of the state revenue received by a district in the 2004-05 school  
37 year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair  
38 share, and free textbook payments for any district from the first preceding calculation of the  
39 state adequacy target;

40 (4) "District's tax rate ceiling", the highest tax rate ceiling in effect subsequent to the  
41 1980 tax year or any subsequent year. Such tax rate ceiling shall not contain any tax levy for  
42 debt service;

43 (5) "Dollar-value modifier", an index of the relative purchasing power of a dollar,  
44 calculated as one plus fifteen percent of the difference of the regional wage ratio minus one,  
45 provided that the dollar value modifier shall not be applied at a rate less than 1.0. **As used in**  
46 **this subdivision, the following terms mean:**

47 (a) "County wage per job", the total county wage and salary disbursements divided by  
48 the total county wage and salary employment for each county and the City of St. Louis as

49 reported by the Bureau of Economic Analysis of the United States Department of Commerce  
50 for the fourth year preceding the payment year;

51 (b) "Regional wage per job":

52 a. The total Missouri wage and salary disbursements of the metropolitan area as  
53 defined by the Office of Management and Budget divided by the total Missouri metropolitan  
54 wage and salary employment for the metropolitan area for the county signified in the school  
55 district number or the City of St. Louis, as reported by the Bureau of Economic Analysis of  
56 the United States Department of Commerce for the fourth year preceding the payment year  
57 and recalculated upon every decennial census to incorporate counties that are newly added to  
58 the description of metropolitan areas; or if no such metropolitan area is established, then:

59 b. The total Missouri wage and salary disbursements of the micropolitan area as  
60 defined by the Office of Management and Budget divided by the total Missouri micropolitan  
61 wage and salary employment for the micropolitan area for the county signified in the school  
62 district number, as reported by the Bureau of Economic Analysis of the United States  
63 Department of Commerce for the fourth year preceding the payment year, if a micropolitan  
64 area for such county has been established and recalculated upon every decennial census to  
65 incorporate counties that are newly added to the description of micropolitan areas; or

66 c. If a county is not part of a metropolitan or micropolitan area as established by the  
67 Office of Management and Budget, then the county wage per job, as defined in paragraph (a)  
68 of this subdivision, shall be used for the school district, as signified by the school district  
69 number;

70 (c) "Regional wage ratio", the ratio of the regional wage per job divided by the state  
71 median wage per job;

72 (d) "State median wage per job", the fifty-eighth highest county wage per job;

73 (6) "Free and reduced price lunch pupil count", for school districts not eligible for and  
74 those that do not choose the USDA Community Eligibility Option, the number of pupils  
75 eligible for free and reduced price lunch on the last Wednesday in January for the preceding  
76 school year who were enrolled as students of the district, as approved by the department in  
77 accordance with applicable federal regulations. For eligible school districts that choose the  
78 USDA Community Eligibility Option, the free and reduced price lunch pupil count shall be  
79 the percentage of free and reduced price lunch students calculated as eligible on the last  
80 Wednesday in January of the most recent school year that included household applications to  
81 determine free and reduced price lunch count multiplied by the district's average daily  
82 attendance figure;

83 (7) "Free and reduced price lunch threshold" shall be calculated by dividing the total  
84 free and reduced price lunch pupil count of every performance district that falls entirely above  
85 the bottom five percent and entirely below the top five percent of average daily attendance,

86 when such districts are rank-ordered based on their current operating expenditures per  
87 average daily attendance, by the total average daily attendance of all included performance  
88 districts;

89 (8) "Limited English proficiency pupil count", the number in the preceding school  
90 year of pupils aged three through twenty-one enrolled or preparing to enroll in an elementary  
91 school or secondary school who were not born in the United States or whose native language  
92 is a language other than English or are Native American or Alaskan native, or a native  
93 resident of the outlying areas, and come from an environment where a language other than  
94 English has had a significant impact on such individuals' level of English language  
95 proficiency, or are migratory, whose native language is a language other than English, and  
96 who come from an environment where a language other than English is dominant; and have  
97 difficulties in speaking, reading, writing, or understanding the English language sufficient to  
98 deny such individuals the ability to meet the state's proficient level of achievement on state  
99 assessments described in Public Law ~~[107-10]~~ **107-110**, the ability to achieve successfully in  
100 classrooms where the language of instruction is English, or the opportunity to participate fully  
101 in society;

102 (9) "Limited English proficiency threshold" shall be calculated by dividing the total  
103 limited English proficiency pupil count of every performance district that falls entirely above  
104 the bottom five percent and entirely below the top five percent of average daily attendance,  
105 when such districts are rank-ordered based on their current operating expenditures per  
106 average daily attendance, by the total average daily attendance of all included performance  
107 districts;

108 (10) "Local effort":

109 (a) For the fiscal year 2007 calculation, "local effort" shall be computed as the  
110 equalized assessed valuation of the property of a school district in calendar year 2004 divided  
111 by one hundred and multiplied by the performance levy less the percentage retained by the  
112 county assessor and collector plus one hundred percent of the amount received in fiscal year  
113 2005 for school purposes from intangible taxes, fines, escheats, payments in lieu of taxes and  
114 receipts from state-assessed railroad and utility tax, one hundred percent of the amount  
115 received for school purposes pursuant to the merchants' and manufacturers' taxes under  
116 sections 150.010 to 150.370, one hundred percent of the amounts received for school  
117 purposes from federal properties under sections 12.070 and 12.080 except when such  
118 amounts are used in the calculation of federal impact aid pursuant to P.L. 81-874, fifty percent  
119 of Proposition C revenues received for school purposes from the school district trust fund  
120 under section 163.087, and one hundred percent of any local earnings or income taxes  
121 received by the district for school purposes. Under this paragraph, for a special district  
122 established under sections 162.815 to 162.940 in a county with a charter form of government

123 and with more than one million inhabitants, a tax levy of zero shall be utilized in lieu of the  
124 performance levy for the special school district;

125 (b) In every year subsequent to fiscal year 2007, "local effort" shall be the amount  
126 calculated under paragraph (a) of this subdivision plus any increase in the amount received  
127 for school purposes from fines. If a district's assessed valuation has decreased subsequent to  
128 the calculation outlined in paragraph (a) of this subdivision, the district's local effort shall be  
129 calculated using the district's current assessed valuation in lieu of the assessed valuation  
130 utilized in the calculation outlined in paragraph (a) of this subdivision. When a change in a  
131 school district's boundary lines occurs because of a boundary line change, annexation,  
132 attachment, consolidation, reorganization, or dissolution under section 162.071, 162.081,  
133 sections 162.171 to 162.201, section 162.221, 162.223, 162.431, 162.441, or 162.451, or in  
134 the event that a school district assumes any territory from a district that ceases to exist for any  
135 reason, the department of elementary and secondary education shall make a proper  
136 adjustment to each affected district's local effort, so that each district's local effort figure  
137 conforms to the new boundary lines of the district. The department shall compute the local  
138 effort figure by applying the calendar year 2004 assessed valuation data to the new land areas  
139 resulting from the boundary line change, annexation, attachment, consolidation,  
140 reorganization, or dissolution and otherwise follow the procedures described in this  
141 subdivision;

142 (11) "Membership" shall be the average of:

143 (a) The number of resident full-time students and the full-time equivalent number of  
144 part-time students who were enrolled in the public schools of the district on the last  
145 Wednesday in September of the previous year and who were in attendance one day or more  
146 during the preceding ten school days; and

147 (b) The number of resident full-time students and the full-time equivalent number of  
148 part-time students who were enrolled in the public schools of the district on the last  
149 Wednesday in January of the previous year and who were in attendance one day or more  
150 during the preceding ten school days, plus the full-time equivalent number of summer school  
151 pupils. "Full-time equivalent number of part-time students" is determined by dividing the  
152 total number of hours for which all part-time students are enrolled by the number of hours in  
153 the school term. "Full-time equivalent number of summer school pupils" is determined by  
154 dividing the total number of hours for which all summer school pupils were enrolled by the  
155 number of hours required pursuant to section 160.011 in the school term. Only students  
156 eligible to be counted for average daily attendance shall be counted for membership;

157 (12) "Operating levy for school purposes", the sum of tax rates levied for teachers'  
158 and incidental funds plus the operating levy or sales tax equivalent pursuant to section  
159 162.1100 of any transitional school district containing the school district, in the payment year,

160 not including any equalized operating levy for school purposes levied by a special school  
161 district in which the district is located;

162 (13) "Performance district", any district that has met performance standards and  
163 indicators as established by the department of elementary and secondary education for  
164 purposes of accreditation under section 161.092 and as reported on the final annual  
165 performance report for that district each year; for calculations to be utilized for payments in  
166 fiscal years subsequent to fiscal year 2018, the number of performance districts shall not  
167 exceed twenty-five percent of all public school districts;

168 (14) "Performance levy", three dollars and forty-three cents;

169 (15) "School purposes" pertains to teachers' and incidental funds;

170 (16) "Special education pupil count", the number of public school students with a  
171 current individualized education program or services plan and receiving services from the  
172 resident district as of December first of the preceding school year, except for special  
173 education services provided through a school district established under sections 162.815 to  
174 162.940 in a county with a charter form of government and with more than one million  
175 inhabitants, in which case the sum of the students in each district within the county exceeding  
176 the special education threshold of each respective district within the county shall be counted  
177 within the special district and not in the district of residence for purposes of distributing the  
178 state aid derived from the special education pupil count;

179 (17) "Special education threshold" shall be calculated by dividing the total special  
180 education pupil count of every performance district that falls entirely above the bottom five  
181 percent and entirely below the top five percent of average daily attendance, when such  
182 districts are rank-ordered based on their current operating expenditures per average daily  
183 attendance, by the total average daily attendance of all included performance districts;

184 (18) "State adequacy target", the sum of the current operating expenditures of every  
185 performance district that falls entirely above the bottom five percent and entirely below the  
186 top five percent of average daily attendance, when such districts are rank-ordered based on  
187 their current operating expenditures per average daily attendance, divided by the total average  
188 daily attendance of all included performance districts. The department of elementary and  
189 secondary education shall first calculate the state adequacy target for fiscal year 2007 and  
190 recalculate the state adequacy target every two years using the most current available data.  
191 The recalculation shall never result in a decrease from the state adequacy target as calculated  
192 for fiscal years 2017 and 2018 and any state adequacy target figure calculated subsequent to  
193 fiscal year 2018. Should a recalculation result in an increase in the state adequacy target  
194 amount, fifty percent of that increase shall be included in the state adequacy target in  
195 the year of recalculation, and fifty percent of that increase shall be included in the state

196 adequacy target amount in the subsequent year. The state adequacy target may be adjusted to  
197 accommodate available appropriations as provided in subsection 7 of section 163.031;

198 (19) "Teacher", any teacher, teacher-secretary, substitute teacher, supervisor,  
199 principal, supervising principal, superintendent or assistant superintendent, school nurse,  
200 social worker, counselor or librarian who shall, regularly, teach or be employed for no higher  
201 than grade twelve more than one-half time in the public schools and who is certified under the  
202 laws governing the certification of teachers in Missouri;

203 (20) "Weighted average daily attendance", the average daily attendance plus the  
204 product of ~~twenty-five hundredths~~ **three-tenths** multiplied by the free and reduced price  
205 lunch pupil count that exceeds the free and reduced price lunch threshold, plus the product of  
206 seventy-five hundredths multiplied by the number of special education pupil count that  
207 exceeds the special education threshold, plus the product of six-tenths multiplied by the  
208 number of limited English proficiency pupil count that exceeds the limited English  
209 proficiency threshold, **plus the product of fifteen-hundredths multiplied by the number of**  
210 **pupils who are homeless children and youths as defined in 42 U.S.C. 11434a.** For special  
211 districts established under sections 162.815 to 162.940 in a county with a charter form of  
212 government and with more than one million inhabitants, weighted average daily attendance  
213 shall be the average daily attendance plus the product of ~~twenty-five hundredths~~ **three-**  
214 **tenths** multiplied by the free and reduced price lunch pupil count that exceeds the free and  
215 reduced price lunch threshold, plus the product of seventy-five hundredths multiplied by the  
216 sum of the special education pupil count that exceeds the threshold for each county district,  
217 plus the product of six-tenths multiplied by the limited English proficiency pupil count that  
218 exceeds the limited English proficiency threshold. None of the districts comprising a special  
219 district established under sections 162.815 to 162.940 in a county with a charter form of  
220 government and with more than one million inhabitants~~]~~ shall use any special education  
221 pupil count in calculating their weighted average daily attendance.

163.161. 1. Any school district which makes provision for transporting pupils as  
2 provided in section 162.621 and sections 167.231 and 167.241 shall receive state aid for the  
3 ensuing year for such transportation on the basis of the cost of pupil transportation services  
4 provided the current year. A district shall receive, pursuant to section 163.031, an amount not  
5 greater than seventy-five percent of the allowable costs of providing pupil transportation  
6 services to and from school and to and from public accredited vocational courses, and shall  
7 not receive an amount per pupil greater than one hundred twenty-five percent of the state  
8 average approved cost per pupil transported the second preceding school year, except when  
9 the state board of education determines that sufficient circumstances exist to authorize  
10 amounts in excess of the one hundred twenty-five percent of the state average approved cost  
11 per pupil transported the second previous year.

12           2. The state board of education shall determine public school district route approval  
13 procedures to be used by each public school district board of education to approve all bus  
14 routes or portions of routes and determine the total miles each public school district needs for  
15 safe and cost-efficient transportation of the pupils and the state board of education shall  
16 determine allowable costs. No state aid shall be paid for the costs of transporting pupils  
17 living less than one mile from the school. However, if the state board of education determines  
18 that circumstances exist where no appreciable additional expenses are incurred in transporting  
19 pupils living less than one mile from school, such pupils may be transported without  
20 increasing or diminishing the district's entitlement to state aid for transportation.

21           3. State aid for transporting handicapped and severely handicapped students attending  
22 classes within the school district or in a nearby district under a contractual arrangement shall  
23 be paid in accordance with the provisions of section 163.031 and an amount equal to seventy-  
24 five percent of the additional cost of transporting handicapped and severely handicapped  
25 students above the average per pupil cost of transporting all students of the district shall be  
26 apportioned pursuant to section 163.031 where such special transportation is approved in  
27 advance by the department of elementary and secondary education. State aid for  
28 transportation of handicapped and severely handicapped children in a special school  
29 district shall be seventy-five percent of allowable costs as determined by the state board of  
30 education which may for sufficient reason authorize amounts in excess of one hundred  
31 twenty-five percent of the state average approved cost per pupil transported the second  
32 previous year. In no event shall state transportation aid exceed seventy-five percent of the  
33 total allowable cost of transporting all pupils eligible to be transported; provided that no  
34 district shall receive reduced reimbursement for costs of transportation of handicapped and  
35 severely handicapped children based upon inefficiency.

36           4. No state transportation aid received pursuant to section 163.031 shall be used to  
37 purchase any school bus manufactured prior to April 1, 1977, that does not meet the federal  
38 motor vehicle safety standards.

39           **5. Any school district that operates magnet schools as part of a master**  
40 **desegregation settlement agreement shall not be considered inefficient for purposes of**  
41 **state aid for transportation of pupils attending such magnet schools and shall not**  
42 **receive a financial penalty for the magnet school transportation portion of the overall**  
43 **transportation budget as a result thereof.**

**168.781. 1. This section shall be known and may be cited as the "Teacher Bill of**  
2 **Rights".**

3           **2. As used in this section, the term "parent" means a parent, guardian, or other**  
4 **person having control or custody of a child.**

5           **3. (1) The general assembly hereby recognizes that:**

6           **(a) Teachers have a profound effect on Missouri children, second only to**  
7 **parents;**

8           **(b) Considering the years of education and continuous updating of knowledge**  
9 **that teachers undertake and achieve, it is important and necessary for the success of**  
10 **society in this state that teachers be given the respect such teachers have earned and**  
11 **deserve;**

12           **(c) Teachers should not be viewed as responsible for all of society's ills but as**  
13 **individuals who are trying to cope with problems not of such teachers' own creation;**  
14 **and**

15           **(d) Teachers deal with societal changes and dysfunction that may exist in the**  
16 **homes of the children teachers are charged with serving.**

17           **(2) The general assembly hereby declares that it is the public policy of this state**  
18 **that respecting the authority of teachers in public schools is essential to creating an**  
19 **environment conducive to learning, effective instruction in the classroom, and proper**  
20 **administration of public schools.**

21           **4. To maintain and protect the authority of teachers in public schools, each**  
22 **teacher has the following rights under this section:**

23           **(1) To be free from physical abuse from a student or a parent of a student, and to**  
24 **be protected from oral, written, or electronically generated abuse from any student or**  
25 **parent. Such abuse is grounds for the suspension of the student as provided in chapter**  
26 **167 and subsequent abuse may result in expulsion of the student;**

27           **(2) To be evaluated for competency by an administrator pursuant to board**  
28 **policy. If such evaluation becomes harassment, such teacher has the right to mediation**  
29 **of grievances by a committee of such teacher's peers and another administrator;**

30           **(3) To exercise the freedom of speech, religion, and the expression of such**  
31 **teacher's opinions through the media as is guaranteed by the Constitution of the United**  
32 **States;**

33           **(4) To be treated with civility and respect as a professional and to be free from**  
34 **any requirement by school administration to perform tasks unrelated to such teacher's**  
35 **employment and that are onerous or result in an undue burden on such teacher;**

36           **(5) To be given classroom preparation time each day during the regular**  
37 **classroom hours;**

38           **(6) To be free from coercion to participate in or promote a political, social,**  
39 **religious, or moral position that violates such teacher's personal religious convictions or**  
40 **engage in political or social activism during school hours as schools should be free from**  
41 **such activist activities;**

42           **(7) To teach without the fear of frivolous lawsuits and to be entitled to qualified**  
43 **immunity, a legal defense, and indemnification by such teacher's employing school**  
44 **district for actions taken in the performance of duties of such teacher's employment, as**  
45 **provided by state law;**

46           **(8) To have such teacher's professional judgment and discretion respected by**  
47 **school and school district administrators in any disciplinary action taken by such**  
48 **teacher in accordance with state law and policies or procedures adopted by such**  
49 **teacher's school board;**

50           **(9) To be afforded all rights any other individual in such teacher's local**  
51 **community has without making such teacher's classroom a hostile environment to**  
52 **students of different philosophical, religious, or moral persuasion;**

53           **(10) To teach in a safe, secure, and orderly environment that is conducive to**  
54 **learning and free from recognized dangers or hazards that are causing or likely to cause**  
55 **serious injury, as provided by state law;**

56           **(11) To be held harmless and immune from any liability for interventions for the**  
57 **protection of pupils in incidents of school violence when following district policy and**  
58 **procedures, or an intervention in good faith and in a manner that may be reasonably**  
59 **afforded the defense of justification under chapter 563; and**

60           **(12) If such teacher is a beginning teacher, to receive leadership and support in**  
61 **accordance with state law including, but not limited to, the assignment of a qualified,**  
62 **experienced mentor who commits to helping such teacher become a competent,**  
63 **confident professional in the classroom and who offers support and assistance as needed**  
64 **to help such teacher meet performance standards and professional expectations.**

65           **5. No political subdivision of this state shall establish policies that prevent a**  
66 **teacher from exercising the rights listed in this section or in any other provision of law.**

67           **6. No provision of this section shall be construed to supersede any other state**  
68 **law, any regulation or policy adopted by the department of elementary and secondary**  
69 **education or the state board of education, or any political subdivision's order,**  
70 **ordinance, or policy relating to the discipline of students.**

71           **7. Teachers, school administrators, parents, and students shall be fully informed**  
72 **of the rights conferred upon teachers under this section. Each school district shall**  
73 **provide a copy of this section to each teacher at the beginning of each school year. Each**  
74 **school district shall post the rights listed in this section in a prominent place in each**  
75 **school and administrative building the school district operates and provide a copy to a**  
76 **parent of each student who attends a school in such school district in a form and manner**  
77 **approved by the school board. Each school district and school under such school**

78 board's jurisdiction that maintains a website shall post the rights listed in this section on  
79 such school district's or school's website.

170.355. 1. As used in this section, the following terms mean:

2 (1) "Parent", a parent or legal guardian of a child enrolled in a school;

3 (2) "School", a public school or school district as such terms are defined in  
4 section 160.011, including a charter school as defined in section 160.400 and any virtual  
5 school or virtual provider authorized under the provisions of section 161.670.

6 2. No school or school employee shall compel a teacher to teach or a student or  
7 teacher to personally adopt, affirm, adhere to, or profess a position or viewpoint that a  
8 reasonable person would conclude violates the public policy expressed in this section or  
9 in section 1.200 or Article I, Section 2 of the Constitution of Missouri. Such violations  
10 include the following:

11 (1) That individuals of any race, ethnicity, color, or national origin are inherently  
12 superior or inferior;

13 (2) That individuals should be adversely or advantageously treated on the basis  
14 of individual race, ethnicity, color, or national origin; or

15 (3) That individuals, by virtue of their race, ethnicity, color, or national origin,  
16 bear collective guilt and are inherently responsible for actions committed in the past by  
17 others.

18 3. No curriculum, instructional materials, course of instruction, or unit of study  
19 offered by any school shall direct or otherwise compel students to personally affirm,  
20 adopt, or adhere to any idea, concept, position, or viewpoint a reasonable person would  
21 conclude is in violation of subsection 2 of this section.

22 4. No course of instruction, unit of study, or professional development or  
23 training program offered by any school shall direct or otherwise compel employees to  
24 personally affirm, adopt, or adhere to any idea, concept, position, or viewpoint that a  
25 reasonable person would conclude could cause a violation of subsection 2 of this section.

26 5. No school employee, when acting in the course of such employee's official  
27 duties during contracted hours, shall participate in, or carry out, any act or  
28 communication that would violate subsection 2 of this section.

29 6. No school shall require a student, teacher, administrator, or other employee to  
30 attend or participate in a training, seminar, continuing education, orientation, or  
31 therapy that a reasonable person believes promotes any belief or concept described in  
32 subsection 2 of this section.

33 7. Nothing in this section shall be construed as prohibiting:

34 (1) Speech protected by Article I, Section 8 of the Constitution of Missouri or the  
35 First Amendment to the Constitution of the United States;

36           **(2) Voluntary attendance in a training session, seminar, continuing education,**  
37 **orientation, or therapy, provided that there is no inducement or coercion for such**  
38 **attendance;**

39           **(3) Access to sources on an individual basis that advocate concepts described in**  
40 **subsection 2 of this section for the purpose of research or independent study;**

41           **(4) Discussion of beliefs or concepts described in subsection 2 of this section or**  
42 **the assignment of materials that incorporate such beliefs or concepts for educational**  
43 **purposes, provided that the school expressly makes clear that it does not sponsor,**  
44 **approve, or endorse such beliefs or concepts;**

45           **(5) Teachers from discussing current events in a historical context;**

46           **(6) Courses including, but not limited to, African American history, Native**  
47 **American history, women's history, Asian American history, and Hispanic history; or**

48           **(7) The use of curriculum that teaches the topics of sexism, slavery, racial**  
49 **oppression, racial segregation, affirmative action, or racial discrimination, including**  
50 **topics related to the enactment and enforcement of laws resulting in religious and ethnic**  
51 **discrimination, sexism, racial oppression, segregation, and discrimination.**

52           **8. This section shall not be construed to prohibit teachers or students from**  
53 **discussing public policy issues, current events, or ideas that individuals may find**  
54 **unwelcome, disagreeable, or offensive.**

55           **9. (1) A school shall post on its website the names of all books required for any**  
56 **of the students of such school and provide parents access to the digital library catalogue**  
57 **for the attendance center where the parent's student is enrolled.**

58           **(2) Each school district, charter school, and virtual school shall adopt a written**  
59 **educational material challenge policy that:**

60           **(a) Is easily accessible by the public;**

61           **(b) Allows any individual to dispute or challenge the district's or school's age-**  
62 **appropriate designation assigned to any book, event, material, or display in the district**  
63 **or school; and**

64           **(c) Discloses to the public and publishes on the district's or school's website the**  
65 **results of any such dispute or challenge.**

66           **10. Any employee of a school may disclose a violation of this section pursuant to**  
67 **the provisions of section 105.055.**

68           **11. (1) If a parent believes that a teacher of the parent's student is in violation of**  
69 **this section, such parent may file a complaint with the school board or charter school**  
70 **governing board. The board shall address the complaint in writing within ten school**  
71 **days after receiving such complaint and shall resolve the concern that is the subject of**  
72 **such complaint. If the parent is unsatisfied with the board's resolution of the concern,**

73 the parent may file a complaint with the state board of education. The state board of  
74 education shall hold a contested case hearing under chapter 536 between the parent,  
75 school board or charter school governing board, and the teacher or such teacher's  
76 representation within thirty days after receiving such complaint.

77 (2) (a) If the state board of education finds that the teacher knowingly engaged  
78 in a violation of this section, the department of elementary and secondary education  
79 shall withhold twenty percent of the moneys provided by monthly distribution of state  
80 formula funding to such school district or charter school until such school district or  
81 charter school is in compliance with this section.

82 (b) After the school district or charter school provides evidence that such school  
83 district or charter school is in compliance with this section, the department shall restore  
84 the distribution of the funding to its original amount before the distribution was  
85 withheld.

86 (c) Any moneys that were withheld under this subsection shall be released to  
87 such school district or charter school only if such school district or charter school  
88 establishes compliance with this section in the same school year in which the department  
89 withheld such moneys.

90 (3) The state board of education shall notify the department of revenue of each  
91 such action found by the state board of education to be a violation of this section. Upon  
92 receipt of such notification, the department of revenue shall adjust the limitation on the  
93 cumulative amount of tax credits for contributions to educational assistance  
94 organizations established in subsection 3 of section 135.713. The adjustment for each  
95 such violation shall be an increase in such limitation in an amount equal to one one-  
96 thousandth of the amount of such limitation at the time of an adjustment required  
97 under this paragraph.

98 (4) If a teacher knowingly engages in multiple or repeated violations of this  
99 section, such actions shall be construed to be insubordination under sections 168.102 to  
100 168.130.

170.370. 1. The department of elementary and secondary education shall  
2 develop a patriotic and civics training program in order to prepare teachers to teach the  
3 principles of American civics and patriotism.

4 2. The patriotic and civics training program shall include but not be limited to:

5 (1) An understanding of:

6 (a) The fundamental moral, political, and intellectual foundations of the  
7 American experiment in self-government;

8 (b) The history, qualities, and traditions of civic engagement in the United  
9 States;

- 10           (c) The structure, function, and processes of government institutions at the  
11 federal, state, and local levels;
- 12           (d) The founding documents of the United States, including:
- 13           a. The Declaration of Independence;
- 14           b. The United States Constitution;
- 15           c. The Federalist Papers, including Essays 10 and 51;
- 16           d. Alexis de Tocqueville's Democracy in America;
- 17           e. The transcript of the first Lincoln-Douglas debate;
- 18           f. The writings of the founding fathers of the United States; and
- 19           g. The writings of Reverend Martin Luther King, Jr;
- 20           (e) The history and importance of:
- 21           a. The federal Civil Rights Act of 1964, as amended; and
- 22           b. The Thirteenth, Fourteenth, and Nineteenth Amendments to the United States  
23 Constitution;
- 24           (f) The provisions and principles of the constitution of Missouri; and
- 25           (g) Cultural history;
- 26           (2) The ability to:
- 27           (a) Analyze and determine the reliability of information sources;
- 28           (b) Formulate and articulate reasoned positions;
- 29           (c) Understand the manner in which local, state, and federal government works  
30 and operates;
- 31           (d) Actively listen and engage in civil discourse, including discourse with those  
32 with different viewpoints;
- 33           (e) Responsibly participate as a citizen in a constitutional democracy;
- 34           (f) Effectively engage with governmental institutions at the local, state, and  
35 federal levels; and
- 36           (3) An appreciation of:
- 37           (a) The importance and responsibility of participating in civic life; and
- 38           (b) A commitment to free speech, the bill of rights, and civil discourse.
- 39           3. Subject to appropriation, each elementary and secondary education teacher  
40 that completes the training program shall receive a one-time bonus of three thousand  
41 dollars to be paid by the department.
- 42           4. The department of elementary and secondary education shall promulgate  
43 rules and regulations to implement the provisions of this section. Any rule or portion of  
44 a rule, as that term is defined in section 536.010, that is created under the authority  
45 delegated in this section shall become effective only if it complies with and is subject to  
46 all of the provisions of chapter 536 and, if applicable, section 536.028. This section and

47 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**  
48 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**  
49 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**  
50 **and any rule proposed or adopted after August 28, 2023, shall be invalid and void.**

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